

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JOSEPH R. PHILLIPS-BEY)	
a/k/a JOSEPH R. PHILLIPS,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-11-1491-M
)	
DR. McPHAIL, et al.,)	
)	
Defendants.)	

ORDER

On November 20, 2012, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this civil rights action brought pursuant to 42 U.S.C. § 1983. The Magistrate Judge recommended that defendants McPhail, Stouffer, and Fleener-Halvorson's Motion for Summary Judgment be granted and that judgment issue in favor of defendants and against plaintiff as to plaintiff's claims in counts one, two, and three of the Complaint. The parties were advised of their right to object to the Report and Recommendation by December 10, 2012. A review of the file reveals no objection has been filed.

Upon de novo review, the Court:

- (1) ADOPTS the thorough and well-reasoned Report and Recommendation [docket no. 42] issued by the Magistrate Judge on November 20, 2012;
- (2) GRANTS defendants McPhail, Stouffer, and Fleener-Halvorson's Motion for Summary Judgment [docket no. 20], and
- (3) ORDERS that judgment issue forthwith in favor of defendants McPhail, Stouffer, and Fleener-Halvorson and against plaintiff.

IT IS SO ORDERED this 17th day of December, 2012.


VICKI MILES-LaGRANGE
CHIEF UNITED STATES DISTRICT JUDGE